

09/980,854

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 DEC -8 PM 1:18

In re Patent of

ECKHARD KÖNIG

Patent No. 6,789,306

Issued: September 14, 2004

For: METHOD FOR PRODUCING A FLAT
COMMUTATOR AND COMMUTATOR
PRODUCED ACCORDING TO
THIS METHOD

PATENT

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OFFICE OF PETITIONS

**PETITION UNDER 37 C.F.R. § 1.182 TO CORRECT ERROR IN
PAYING ISSUE FEE AS SMALL ENTITY UNDER 37 C.F.R. §1.28(c)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.182, patentee hereby petitions for acceptance of an additional issue fee payment of \$705.00 for the above-identified patent and application 09/980,854 on which the patent is based, since this error was inadvertently caused by the Notice of Allowance improperly indicating the issue fee amount applicable for a small entity when no small entity status was claimed in this application.

To correct this error, pursuant to 37 C.F.R. § 1.28(c), submitted herewith are (1) a payment of the deficiency between the issue fee amount paid and the issue fee due at the current level, (2) the undersigned's statement that the error occurred in good faith, and (3) a petition fee in the amount of \$130.00.

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The application filing fee of \$890.00 and all other fees (i.e., three month extension fee of \$930.00 for an amendment, a notice of appeal fee of \$330.00 with a one month extension of \$110.00, and an appeal brief fee of \$330.00) were all paid in amounts appropriate for a large entity. No statement claimed small entity status. Despite the above payments and the lack of a statement claiming small entity status, the July 2, 2004 Notice of Allowance incorrectly showed an issue fee amount of \$665.00 then applicable for a small entity. This error on the Notice of Allowance caused the issue fee to be paid incorrectly in that amount for a small entity. The prior payment and the error occurred in good faith.

The Commissioner is authorized to charge any additional payment or credit any overpayment in connection with this petition to deposit account No. 18-2220.

Prompt and favorable action is solicited.

Respectfully submitted,

Dated: Dec. 6, 2004



Mark S. Bieks
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